

## REMARKS

### **I. The Claims**

In this response, no claims have been added and no claims have been canceled. Claims 32, 34, 39 and 40 have been amended solely to correct typographical and other errors. Accordingly, Claims 1-41 remain pending in the present application. Reconsideration of the above-identified patent application is hereby requested.

### **II. Rejections under 35 U.S.C. § 103(a)**

The Examiner rejects Claims 1-41 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,546,549 issued to Barrett *et al.* (Barrett) in view of U.S. Patent No. 6,049,528 issued to Bell *et al.* (Bell). Applicants respectfully traverse this rejection.

As to Bell, Bell was filed on January 31, 1997 and issued on September 14, 1999. Applicants conceived the invention claimed in the above referenced patent application in June 1996. Applicants prepared an internal company document dated August 29, 1996. Applicants conception therefore predates the filing date of Bell. A declaration by all named inventors setting forth these and other pertinent facts pursuant to 37 CFR §1.131 is enclosed herewith. Because Applicants conceived the invention claimed in the above referenced patent application before the filing date of Bell, pursuant to 37 CFR §1.131, Applicants hereby request that all rejections based in whole or in part on Bell be withdrawn. As all rejections rely on Bell, Applicants therefore request that rejections to all claims be withdrawn.

It is axiomatic that for a claim to be obvious in view of a combination of references, all of the limitations in the claim must be taught by the combination of references. Because all of the obviousness objections made by the Examiner are based on the combination of Bell and Barrett, and because Bell may not be used as a reference according to 37 CFR §1.131, the obviousness rejections to all of the claims fail.

Applicants request that the 35 U.S.C. § 103(a) obviousness rejections to all claims be withdrawn.

As to Claim 1 and Barrett, the Examiner admits that Barrett does not teach or suggest emulating a single interface with the plurality of interfaces by assigning to said plurality of interfaces an associated identifier that identifies the connection between said first and second devices. Bell, as set forth above, pursuant to 27 CFR §1.131, cannot be used to cure this deficiency. As such, the obviousness rejections to Claim 1 and all claims depending thereon have been overcome, and the rejections should be withdrawn.

In addition to the foregoing basis for overcoming the rejections under 35 U.S.C. § 103, Applicants note the following differences between the invention as claimed and the prior art cited by the Examiner. As to Barrett, The Examiner asserts that Barrett teaches connecting a first device and a second device to a plurality of interfaces. However, Barrett teaches "a multi-path channel (MPC) interface . . . which forms a transparent interface between the prior art I/O channel-using applications and the prior art channel path I/O supervisor processes for both byte multi-plex and burst mode transmissions paths." (Barrett, col. 3, line 66 - col. 4, line 4). This in no way teaches or suggests connecting the first device and the second device to a plurality of interfaces as recited in Claim 1. That is, Barrett only teaches a single interface, while Applicants recite a plurality of interfaces. The Examiner further asserts that Barrett teaches a high speed interface such as an ATM. However, this assertion is entirely misplaced as Applicant's Claim 1 recites emulating a high speed interface with the plurality of interfaces. That Barrett may teach a high speed interface in no ways teaches or suggests emulating a high-speed interface. As such, Barrett fails to teach or suggest those elements recited by Applicants in Claim 1. The Examiner also asserts that Barrett teaches an associated

identifier that identifies the connection between the first and second devices. However, because the Examiner admits that Barrett does not teach emulating a single interface with the plurality of interfaces by assigning to said plurality of interfaces an associated identifier that identifies the connection between said first and second devices, Barrett cannot teach an associated identifier to a connection that the Examiner admits Barrett does not teach. *In arguendo*, even if Bell were proper prior art, as set forth below, Bell does not cure the deficiencies of Barrett. As none of the elements recited in Claim 1 are taught or suggested by Barrett, Claim 1 and all claims depending thereon are patentable over the cited references. As such, the obviousness rejections to Claim 1 and all claims depending thereon have been overcome, and the rejections should be withdrawn.

As to Bell, assuming *in arguendo* that Bell is valid prior art, Bell fails to teach what the Examiner states it does. The Examiner asserts that Bell suggests emulating a single high speed interface with a plurality of interfaces by assigning to said plurality of interfaces an associated identifier that identifies the connection between said first and second devices by teaching a host with multiple network interface adapters to associate each desired subset of applications with a virtual IP address and configures the host to advertise a route to each virtual IP address over a different real physical interface adapter. The Examiner further asserts that it would have been obvious to incorporate the single interface with a virtual IP address which could be assigned to multiple network interface adapters as taught by Bell into the system of Barrett. However, Bell in no way teaches or suggests emulating a single high speed interface with a plurality of interfaces by assigning to said plurality of interfaces an associated identifier that identifies the connection between said first and second devices. That is, nowhere does Bell teach or suggest incorporating a single interface with a virtual IP address that is assigned to multiple network adapters.

The teachings of Bell are limited to (1) assigning a virtual IP address to one or more application programs; and (2) assigning each of the virtual IP addresses to a unique network interface adapter. (Bell, col. 2, lines 50-59). Bell describes its invention as segregating certain types of network traffic to a particular first adapter so that other types of network traffic on another adapter are not affected by high traffic on the first adapter. (Bell, col. 2, lines 59-66). That is, Bell teaches a first group of application programs that are assigned a first virtual IP address to communicate over a network via a first network adapter, a second group of application programs on the same computer that are assigned a second virtual IP address to communicate over the network via a second adapter, etc. As such, Bell does not teach a connection between a first device and a second device; **Bell does not teach emulating a single high speed interface with a plurality of interfaces**; and Bell does not teach an associated identifier that identifies the connection between the first and second devices. Bell, therefore, fails to teach any of the limitations recited by Applicants in Claim 1. As such, even if *in arguendo* Bell were available as valid prior art, Bell fails to cure the deficiencies of Barrett, such that the combination of prior art fails to teach or suggest the invention recited in Claim 1. Therefore, Claim 1 and all claims depending thereon are patentable over the cited prior art.

With regard to Claims 14, 19, 24, 32, 38, 39, 40 and 40, the examiner asserts that Claims 14, 19, 24, 32, 38, 39, 40 and 40 are rejected for the same rationale as set forth regarding Claim 1. While Applicants do not agree that all of these claims contain the limitations set forth in Claim 1, to the extent the Examiner applies arguments to reject these claims from the Examiner's rejection of Claim 1, the above remarks regarding Claim 1 apply to Claims 14, 19, 24, 32, 38, 39, 40 and 41. For the reasons set forth above regarding Claim 1, Claims 14, 19, 24, 32, 38, 39, 40 and 41, and all claims depending

thereon, are patentable over the cited references. As such, the obviousness rejections to Claims 14, 19, 24, 32, 38, 39, 40 and 41, and all claims depending thereon have been overcome, and the rejections should be withdrawn.

As to Claim 6, the Examiner asserts that Bell teaches various limitations recited in the Claims. However, as set forth above, because Barrett does not teach or suggest the limitations set forth in the claim, and because Bell does not supply these missing teachings, Claim 6 and all claims depending thereon are patentable over the cited references. As such, the obviousness rejections to Claim 6 and all claims depending thereon have been overcome, and the rejections should be withdrawn.

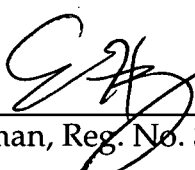
#### CONCLUSION

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record and are in condition for allowance; such action is earnestly solicited at the earliest possible date.

Respectfully submitted,

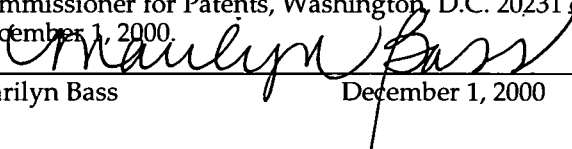
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Non-Fee Amendment, Assistant Commissioner for Patents, Washington, D.C. 20231 on December 1, 2000.

  
Marilyn Bass

December 1, 2000